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December 19, 2023

Via ECF Only

Hon. Jerrold N. Poslusny, Jr.
U.S. Bankruptcy Court
District of New Jersey
400 Cooper St., 4th Floor
Camden, NJ 08101

RE: Aluminum Shapes, LLC
Docket No.: 21-16520-JNP
Our File No. 33760
Aluminum Shapes Liquidating Trust's Motion to Expunge Claims
January 9, 2024 at 11:00AM

Dear Judge Poslusny,

This firm represents Eastern Lift Truck Co., Inc. ("Eastern Lift"), which is a creditor of Aluminum Shapes, LLC ("Debtor"). Eastern Lift obtained a judgment against Debtor on October 19, 2020, in the amount of \$72,832.61 ("Judgment").

Debtor filed the instant case on August 15, 2021 ("Petition Date"). Eastern Lift filed its proof of claim on September 13, 2021, in the amount of \$75,239.13, reflecting the Judgment amount plus post-judgment interest through the Petition Date and post-judgment costs ("Claim"). See Claim No. 25 on the Claims Register. The Claim was originally filed as secured; however, after litigation with the Committee, Eastern Lift agreed to unsecured status and amended the Claim accordingly on February 25, 2022.

Debtor's plan was confirmed on August 11, 2022, and the Aluminum Shapes Liquidating Trust ("Trust") was established.

On December 5, 2023, the Trust filed an omnibus claims objection, which included an objection to Eastern Lift's Claim ("Objection"). The Objection seeks to modify the Claim amount from \$75,239.13 to \$72,832.61 on the basis that Eastern Lift "did not include sufficient documentation to show entitlement to post-judgment interest".



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Post-judgment interest is statutory. NJ Court Rule 4:42-11 provides that judgments that exceed the statutory limit for the Special Civil Part of the New Jersey Superior Court bear simple interest at the amounts set by the State, plus 2%. The Trust has provided no basis for its Objection to the Claim, as Eastern Lift is not required to have documentary support for its statutory right to post-judgment interest.

Wherefore, Eastern Lift respectfully requests that the Trust's Objection be denied as to Eastern Lift's Claim, so that the Claim remains at \$75,239.13.

Respectfully submitted,
SALDUTTI LAW GROUP

/s/ Rebecca K. McDowell
REBECCA K. MCDOWELL, ESQUIRE

CC: All Parties on the Certificate of Service